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TAGS: [PGOV](#) [PREL](#) [PHUM](#) [KDEM](#) [KCOR](#) [AJ](#)  
SUBJECT: EX-MINISTER FARHAD ALIYEV SENTENCED TO TEN YEARS  
FOR CORRUPTION, EMBEZZLEMENT

REF: A. BAKU 828  
[1](#)B. STATE 148496

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[1](#)1. (U) On October 31, former Minister of Economic Development Farhad Aliyev was sentenced to ten years' imprisonment on charges of misappropriation, embezzlement, illegal entrepreneurship, smuggling, tax evasion, abuse of power, accepting bribery, and forgery (articles 179.3.1, 179.3.2, 192.2.1, 192.2.2, 206.4, 213.4, 308.2, 311.3.1, 311.3.2, 311.3.3, and 313 of the criminal code). Aliyev's brother and former AzPetrol Oil Company President Rafig Aliyev was sentenced to nine years' imprisonment on charges of violating the right to land ownership and illegal destruction (articles 179.3.1, 179.3.2, 188, 192.2.1, 192.2.2, 206.3.1, 206.4, 213.4, 259, and 313 of the criminal code). Both Farhad and Rafig Aliyev received a five-year ban from serving in public office, effective after their prison sentences are completed.

In addition, all of their frozen assets now have been officially seized. Four of the other defendants, who are mostly former Ministry of Economic Development or AzPetrol employees, received prison sentences from four years to seven years and six months; the remaining 13 defendants received suspended sentences ranging from one year to seven years and six months.

[1](#)2. (SBU) Aliyev's trial at the Court of Grave Crimes began on May 15, after Aliyev had already served more than 18 months in pre-trial detention. Aliyev was among several high-profile GOAJ officials arrested in October 2005 on charges of corruption and of plotting a coup d'etat. The GOAJ later separated Aliyev's prosecution into two different cases; it is unlikely that the GOAJ will prosecute Aliyev separately on coup-plotting charges. The trial got off to a rocky start, with all international observers, many independent and opposition journalists, and many of Aliyev's family members being barred courtroom access. Although the media access problems were fairly quickly resolved, the only international observers permitted into trial sessions were Emboffs and staff members from the OSCE's trial monitoring project. Many of the trial proceedings were difficult for observers to hear, because of the lack of microphones and the whirring of several air conditioners in the long, narrow, crowded courtroom (ref a).

[1](#)3. (SBU) Aliyev's defense attorneys, who claim that their client is a political prisoner, plan to file an appeal with the European Court of Human Rights (ECHR). They have prepared a list of more than 1,500 due process violations from the period of pre-trial detention and from the trial proceedings. Rafig Aliyev's attorneys also plan to file a case with the ECHR; Aliyev's family maintains that he is guilty "only of being Farhad Aliyev's brother." Human rights activists have raised many concerns about Farhad Aliyev's

case, especially regarding reports that Aliyev's family members have not been allowed to visit him in detention. Local reaction so far has been muted, as no one seems surprised by the verdict; we will continue to monitor reaction and report any substantive developments. We appreciate the Department's response to our request for press guidance, and will respond to press inquiries per the guidance in ref b.

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